

INTELLIGENCE AUTHORIZATION ACT, FISCAL YEAR 1992

[Public Law 102–183; 105 Stat. 1271; approved December 4, 1991]

[As Amended Through P.L. 116–260, Enacted December 27, 2020]

【Currency: This publication is a compilation of the text of Public Law 102–183. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To authorize appropriations for fiscal year 1992 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Intelligence Authorization Act, Fiscal Year 1992”.

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TITLE V—FEDERAL BUREAU OF INVESTIGATION PROVISIONS

SEC. 501. [28 U.S.C. 532 nt] FBI CRITICAL SKILLS SCHOLARSHIP PROGRAM.

(a) STUDY.—The Director of the Federal Bureau of Investigation shall conduct a study relative to the establishment of an undergraduate training program with respect to employees of the Federal Bureau of Investigation that is similar in purpose, conditions, content, and administration to undergraduate training programs administered by the Central Intelligence Agency (under section 8 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403j)), the National Security Agency (under section 16 of the National Security Agency Act of 1959 (50 U.S.C. 402 (note))), and the Defense Intelligence Agency (under section 1608 of title 10, United States Code).

(b) IMPLEMENTATION.—Any program proposed under subsection (a) may be implemented only after the Department of Justice and the Office of Management and Budget review and approve the implementation of such program.

(c) AVAILABILITY OF FUNDS.—Any payment made by the Director of the Federal Bureau of Investigation to carry out any program proposed to be established under subsection (a) may be made in any fiscal year only to the extent that appropriated funds are available for that purpose.

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TITLE VIII—NATIONAL SECURITY SCHOLARSHIPS, FELLOWSHIPS, AND GRANTS

SEC. 801. [50 U.S.C. 1901] SHORT TITLE, FINDINGS, AND PURPOSES.

(a) SHORT TITLE.—This title may be cited as the “David L. Boren National Security Education Act of 1991”.

(b) FINDINGS.—The Congress makes the following findings:

(1) The security of the United States is and will continue to depend on the ability of the United States to exercise international leadership.

(2) The ability of the United States to exercise international leadership is, and will increasingly continue to be, based on the political and economic strength of the United States, as well as on United States military strength around the world.

(3) Recent changes in the world pose threats of a new kind to international stability as Cold War tensions continue to decline while economic competition, regional conflicts, terrorist activities, and weapon proliferations have dramatically increased.

(4) The future national security and economic well-being of the United States will depend substantially on the ability of its citizens to communicate and compete by knowing the languages and cultures of other countries.

(5) The Federal Government has an interest in ensuring that the employees of its departments and agencies with national security responsibilities are prepared to meet the challenges of this changing international environment.

(6) The Federal Government also has an interest in taking actions to alleviate the problem of American undergraduate and graduate students being inadequately prepared to meet the challenges posed by increasing global interaction among nations.

(7) American colleges and universities must place a new emphasis on improving the teaching of foreign languages, area studies, counterproliferation studies, and other international fields to help meet those challenges.

(c) PURPOSES.—The purposes of this title are as follows:

(1) To provide the necessary resources, accountability, and flexibility to meet the national security education needs of the United States, especially as such needs change over time.

(2) To increase the quantity, diversity, and quality of the teaching and learning of subjects in the fields of foreign languages, area studies, counterproliferation studies, and other international fields that are critical to the Nation’s interest.

(3) To produce an increased pool of applicants for work in the departments and agencies of the United States Government with national security responsibilities.

(4) To expand, in conjunction with other Federal programs, the international experience, knowledge base, and perspectives on which the United States citizenry, Government employees, and leaders rely.

(5) To permit the Federal Government to advocate the cause of international education.

SEC. 802. [50 U.S.C. 1902] SCHOLARSHIP, FELLOWSHIP, AND GRANT PROGRAM.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a program for—

(A) awarding scholarships to undergraduate students who—

(i) are United States citizens in order to enable such students to study, for at least one academic semester or equivalent term, in foreign countries that are critical countries (as determined under section 803(d)(4)(A)) in those languages and study areas where deficiencies exist (as identified in the assessments undertaken pursuant to section 806(d)); and

(ii) pursuant to subsection (b)(2)(A), enter into an agreement to work in a national security position or work in the field of higher education in the area of study for which the scholarship was awarded;

(B) awarding fellowships to graduate students who—

(i) are United States citizens to enable such students to pursue education as part of a graduate degree program of a United States institution of higher education in the disciplines of foreign languages, area studies, counterproliferation studies, and other international fields relating to the national security interests of the United States that are critical areas of those disciplines (as determined under section 803(d)(4)(B)) and in which deficiencies exist (as identified in the assessments undertaken pursuant to section 806(d)); and

(ii) pursuant to subsection (b)(2)(B), enter into an agreement to work in a national security position or work in the field of education in the area of study for which the fellowship was awarded;

(C) awarding grants to institutions of higher education to enable such institutions to establish, operate, or improve programs in foreign languages, area studies, counterproliferation studies, and other international fields that are critical areas of those disciplines (as determined under section 803(d)(4)(C));

(D) awarding grants to institutions of higher education to carry out activities under the National Flagship Language Initiative (described in subsection (i)); and

(E) awarding scholarships to students who—

(i) are United States citizens who—

(I) are native speakers (referred to as “heritage community citizens”) of a foreign language that is identified as critical to the national security interests of the United States who should be actively recruited for employment by Federal security agencies with a need for linguists; and

(II) are not proficient at a professional level in the English language with respect to reading, writing, and other skills required to carry out the national security interests of the United States, as determined by the Secretary,

to enable such students to pursue English language studies at an institution of higher education of the United States to attain proficiency in those skills; and

(ii) enter into an agreement to work in a position in a similar manner (as determined by the Secretary) as agreements entered into pursuant to subsection (b)(2)(A).

(2) FUNDING ALLOCATIONS.—Of the amount available for obligation out of the National Security Education Trust Fund or from a transfer under section 810(c) for any fiscal year for the purposes stated in paragraph (1), the Secretary shall have a goal of allocating—

(A) $\frac{1}{3}$ of such amount for the awarding of scholarships pursuant to paragraph (1)(A);

(B) $\frac{1}{3}$ of such amount for the awarding of fellowships pursuant to paragraph (1)(B); and

(C) $\frac{1}{3}$ of such amount for the awarding of grants pursuant to paragraph (1)(C).

The funding allocation under this paragraph shall not apply to grants under paragraph (1)(D) for the National Flagship Language Initiative described in subsection (i) or for the scholarship program under paragraph (1)(E). For the authorization of appropriations for the National Flagship Language Initiative, see section 811. For the authorization of appropriations for the scholarship program under paragraph (1)(E), see section 812.

(3) CONSULTATION WITH NATIONAL SECURITY EDUCATION BOARD.—The program required under this title shall be carried out in consultation with the National Security Education Board established under section 803.

(4) CONTRACT AUTHORITY.—The Secretary may enter into one or more contracts, with private national organizations having an expertise in foreign languages, area studies, counterproliferation studies, and other international fields, for the awarding of the scholarships, fellowships, and grants described in paragraph (1) in accordance with the provisions of this title. The Secretary may enter into such contracts without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law that requires the use of competitive procedures. In addition, the Secretary may enter into personal service contracts for periods up to one year for program administration, except that not more than 10 such contracts may be in effect at any one time.

(b) SERVICE AGREEMENT.—In awarding a scholarship or fellowship under the program, the Secretary or contract organization referred to in subsection (a)(4), as the case may be, shall require a recipient of any fellowship, or any scholarship to enter into an agreement that, in return for such assistance, the recipient—

(1) will maintain satisfactory academic progress, as determined in accordance with regulations issued by the Secretary, and agrees that failure to maintain such progress shall constitute grounds upon which the Secretary or contract organization referred to in subsection (a)(4) may terminate such assistance;

(2)(A) will (in accordance with regulations prescribed by the Secretary of Defense in coordination with the heads of the other Federal departments and agencies concerned) begin work not later than three years after the recipient's completion of degree study during which scholarship assistance was provided under the program—

(i) for not less than one year in a position certified by the Secretary of Defense, in coordination with the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State (as appropriate), as contributing to the national security of the United States in the Department of Defense, any element of the intelligence community, the Department of Homeland Security, or the Department of State;

(ii) for not less than one year in a position in a Federal agency or office that is identified by the Secretary of Defense under subsection (g) as having national security responsibilities if the recipient demonstrates to the Secretary that no position is available in the departments and agencies covered by clause (i); or

(iii) for not less than one academic year in a position in the field of education in a discipline related to the study supported by the program if the recipient demonstrates to the Secretary of Defense that no position is available in the departments, agencies, and offices covered by clauses (i) and (ii); or

(B) will (in accordance with such regulations) begin work not later than two years after the recipient's completion or termination of study for which fellowship assistance was provided under the program—

(i) for not less than one year in a position certified by the Secretary of Defense, in coordination with the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State (as appropriate), as contributing to the national security of the United States in the Department of Defense, any element of the intelligence community, the Department of Homeland Security, or the Department of State;

(ii) for not less than one year in a position in a Federal agency or office that is identified by the Sec-

retary of Defense under subsection (g) as having national security responsibilities if the recipient demonstrates to the Secretary that no position is available in the departments and agencies covered by clause (i); or

(iii) for not less than one academic year in a position in the field of education in a discipline related to the study supported by the program if the recipient demonstrates to the Secretary of Defense that no position is available in the departments, agencies, and offices covered by clauses (i) and (ii); and

(3) if the recipient fails to meet either of the obligations set forth in paragraph (1) or (2), will reimburse the United States Government for the amount of the assistance provided the recipient under the program, together with interest at a rate determined in accordance with regulations issued by the Secretary.

(c) EVALUATION OF PROGRESS IN LANGUAGE SKILLS.—The Secretary shall, through the National Security Education Program office, administer a test of the foreign language skills of each recipient of a scholarship or fellowship under this title before the commencement of the study or education for which the scholarship or fellowship is awarded and after the completion of such study or education. The purpose of these tests is to evaluate the progress made by recipients of scholarships and fellowships in developing foreign language skills as a result of assistance under this title.

(d) DISTRIBUTION OF ASSISTANCE.—In selecting the recipients for awards of scholarships, fellowships, or grants pursuant to this title, the Secretary or a contract organization referred to in subsection (a)(4), as the case may be, shall take into consideration (1) the extent to which the selections will result in there being an equitable geographic distribution of such scholarships, fellowships, or grants (as the case may be) among the various regions of the United States, and (2) the extent to which the distribution of scholarships and fellowships to individuals reflects the cultural, racial, and ethnic diversity of the population of the United States.

(e) MERIT REVIEW.—The Secretary shall award scholarships, fellowships, and grants under the program based upon a merit review process.

(f) LIMITATION ON USE OF PROGRAM PARTICIPANTS.—No person who receives a grant, scholarship, or fellowship or any other type of assistance under this title shall, as a condition of receiving such assistance or under any other circumstances, be used by any department, agency, or entity of the United States Government engaged in intelligence activities to undertake any activity on its behalf during the period such person is pursuing a program of education for which funds are provided under the program carried out under this title.

(g) DETERMINATION OF AGENCIES AND OFFICES OF THE FEDERAL GOVERNMENT HAVING NATIONAL SECURITY RESPONSIBILITIES.—(1) The Secretary, in consultation with the Board, shall annually determine and develop a list identifying each agency or office of the Federal Government having national security responsibilities at which a recipient of a fellowship or scholarship under this title will

be able to make the recipient's foreign area and language skills available to such agency or office. The Secretary shall submit the first such list to the Congress and include each subsequent list in the annual report to the Congress, as required by section 806(b)(6).

(2) Notwithstanding section 804, funds may not be made available from the Fund to carry out this title for fiscal year 1997 until 30 days after the date on which the Secretary of Defense submits to the Congress the first such list required by paragraph (1).

(h) TEMPORARY EMPLOYMENT AND RETENTION OF CERTAIN PARTICIPANTS.—

(1) IN GENERAL.—The Secretary of Defense may—

(A) appoint or retain a person provided scholarship or fellowship assistance under the program in a position in the Department of Defense on an interim basis during the period of the person's pursuit of a degree under the program and for a period not to exceed two years after completion of the degree, but only if, in the case of the period after completion of the degree, there is an active investigation to provide security clearance to the person for an appropriate permanent position in the Department of Defense under subsection (b)(2); and

(B) if there is no appropriate permanent position available for the person after the end of the periods described in subparagraph (A), separate the person from employment with the Department without regard to any other provision of law, in which event the service agreement of the person under subsection (b) shall terminate.

(2) TREATMENT OF CERTAIN SERVICE.—The period of service of a person covered by paragraph (1) in a position on an interim basis under that paragraph shall, after completion of the degree, be treated as a period of service for purposes of satisfying the obligated service requirements of the person under the service agreement of the person under subsection (b).

(i) USE OF AWARDS TO ATTEND THE FOREIGN LANGUAGE CENTER OF THE DEFENSE LANGUAGE INSTITUTE.—(1) The Secretary shall provide for the admission of award recipients to the Foreign Language Center of the Defense Language Institute (hereinafter in this subsection referred to as the "Center"). An award recipient may apply a portion of the applicable scholarship or fellowship award for instruction at the Center on a space-available basis as a Department of Defense sponsored program to defray the additive instructional costs.

(2) Except as the Secretary determines necessary, an award recipient who receives instruction at the Center shall be subject to the same regulations with respect to attendance, discipline, discharge, and dismissal as apply to other persons attending the Center.

(3) In this subsection, the term "award recipient" means an undergraduate student who has been awarded a scholarship under subsection (a)(1)(A) or a graduate student who has been awarded a fellowship under subsection (a)(1)(B) who—

(A) is in good standing;

(B) has completed all academic study in a foreign country, as provided for under the scholarship or fellowship; and

(C) would benefit from instruction provided at the Center.

(j) NATIONAL FLAGSHIP LANGUAGE INITIATIVE.—(1) Under the National Flagship Language Initiative, institutions of higher education shall establish, operate, or improve activities designed to train students in programs in a range of disciplines to achieve advanced levels of proficiency in those foreign languages that the Secretary identifies as being the most critical in the interests of the national security of the United States.

(2) An undergraduate student who has been awarded a scholarship under subsection (a)(1)(A) or a graduate student who has been awarded a fellowship under subsection (a)(1)(B) may participate in the activities carried out under the National Flagship Language Initiative.

(3) An institution of higher education that receives a grant pursuant to subsection (a)(1)(D) shall give special consideration to applicants who are employees of the Federal Government.

(4) For purposes of this subsection, the Foreign Language Center of the Defense Language Institute and any other educational institution that provides training in foreign languages operated by the Department of Defense or an agency in the intelligence community is deemed to be an institution of higher education, and may carry out the types of activities permitted under the National Flagship Language Initiative.

(5) An undergraduate or graduate student who participates in training in a program under paragraph (1) and has not already entered into a service agreement under subsection (b) shall enter into a service agreement under subsection (b) applicable to an undergraduate or graduate student, as the case may be, with respect to participation in such training in a program under paragraph (1).

(6)(A) An employee of a department or agency of the Federal Government who participates in training in a program under paragraph (1) shall agree in writing—

(i) to continue in the service of the department or agency of the Federal Government employing the employee for the period of such training;

(ii) to continue in the service of such department or agency, following completion by the employee of such training, for a period of two years for each year, or part of the year, of such training;

(iii) if, before the completion by the employee of such training, the employment of the employee is terminated by such department or agency due to misconduct by the employee, or by the employee voluntarily, to reimburse the United States for the total cost of such training (excluding the employee's pay and allowances) provided to the employee; and

(iv) if, after the completion by the employee of such training but before the completion by the employee of the period of service required by clause (ii), the employment of the employee by such department or agency is terminated either by such department or agency due to misconduct by the employee, or by the employee voluntarily, to reimburse the United States in an amount that bears the same ratio to the total cost of such training (excluding the employee's pay and allowances) provided to the employee as the unserved portion of such period

of service bears to the total period of service required by clause (ii).

(C)¹ Subject to subparagraph (D), the obligation to reimburse the United States under an agreement under subparagraph (A) is for all purposes a debt owing the United States.

(D)¹ The head of the element of the intelligence community concerned may release an employee, in whole or in part, from the obligation to reimburse the United States under an agreement under subparagraph (A) when, in the discretion of the head of the element, the head of the element determines that equity or the interests of the United States so require.

(k) EMPLOYMENT OF PROGRAM PARTICIPANTS.—

(1) APPOINTMENT AUTHORITY.—The Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, or the head of a Federal agency or office identified by the Secretary of Defense under subsection (g) as having national security responsibilities—

(A) may, without regard to any provision of title 5, United States Code, governing appointments in the competitive service, appoint an eligible program participant—

(i) to a position in the excepted service that is certified by the Secretary of Defense under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or

(ii) subject to clause (ii) of such subsection, to a position in the excepted service in such Federal agency or office identified by the Secretary; and

(B) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of subparagraph (A), convert the appointment of such individual, without competition, to a career or career-conditional appointment.

(2) TREATMENT OF CERTAIN SERVICE.—In the case of an eligible program participant described in clause (ii) or (iii) of paragraph (4)(C) who receives an appointment under paragraph (1)(A), the head of a Department or Federal agency or office referred to in paragraph (1) may count any period that the individual served in a position with the Federal Government toward satisfaction of the service requirement under paragraph (1)(B) if that service—

(A) in the case of an appointment under clause (i) of paragraph (1)(A), was in a position that is identified under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or

(B) in the case of an appointment under clause (ii) of paragraph (1)(A), was in the Federal agency or office in which the appointment under that clause is made.

(3) CAREER TENURE.—In the case of an individual whose appointment to a position in the excepted service is converted to a career or career-conditional appointment under paragraph

¹ So in law. Subparagraphs (C) and (D) probably should be redesignated as subparagraphs (B) and (C), respectively.

(1)(B), the period of service described in such paragraph shall be treated, for purposes of the service requirements for career tenure under title 5, United States Code, as if it were service in a position under a career or career-conditional appointment.

(4) ELIGIBLE PROGRAM PARTICIPANT DEFINED.—In this subsection, the term “eligible program participant” means an individual who—

(A) has successfully completed an academic program for which a scholarship or fellowship under this section was awarded;

(B) has not previously been appointed to the excepted service position under paragraph (1)(A); and

(C) at the time of the appointment of the individual to an excepted service position under paragraph (1)(A)—

(i) under the terms of the agreement for such scholarship or fellowship, owes a service commitment to a Department or Federal agency or office referred to in paragraph (1);

(ii) is employed by the Federal Government under a non-permanent appointment to a position in the excepted service that has national security responsibilities; or

(iii) is a former civilian employee of the Federal Government who has less than a one-year break in service from the last period of Federal employment of such individual in a non-permanent appointment in the excepted service with national security responsibilities.

SEC. 803. [50 U.S.C. 1903] NATIONAL SECURITY EDUCATION BOARD.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a National Security Education Board.

(b) COMPOSITION.—The Board shall be composed of the following individuals or the representatives of such individuals:

(1) The Secretary of Defense, who shall serve as the chairman of the Board.

(2) The Secretary of Education.

(3) The Secretary of State.

(4) The Secretary of Commerce.

(5) The Secretary of Homeland Security.

(6) The Secretary of Energy.

(7) The Director of National Intelligence.

(8) The Chairperson of the National Endowment for the Humanities.

(9) Six individuals appointed by the President, who shall be experts in the fields of international, language, area, and counterproliferation studies education and who may not be officers or employees of the Federal Government.

(c) TERM OF APPOINTEES.—Each individual appointed to the Board pursuant to subsection (b)(7) shall be appointed for a period specified by the President at the time of the appointment, but not to exceed four years. Such individuals shall receive no compensation for service on the Board but may receive reimbursement for travel and other necessary expenses.

(d) FUNCTIONS.—The Board shall perform the following functions:

(1) Develop criteria for awarding scholarships, fellowships, and grants under this title, including an order of priority in such awards that favors individuals expressing an interest in national security issues or pursuing a career in a national security position.

(2) Provide for wide dissemination of information regarding the activities assisted under this title.

(3) Establish qualifications for students desiring scholarships or fellowships, and institutions of higher education desiring grants, under this title, including, in the case of students desiring a scholarship or fellowship, a requirement that the student have a demonstrated commitment to the study of the discipline for which the scholarship or fellowship is to be awarded.

(4) After taking into account the annual analyses of trends in language, international, area, and counterproliferation studies under section 806(b)(1), make recommendations to the Secretary regarding—

(A) which countries are not emphasized in other United States study abroad programs, such as countries in which few United States students are studying and countries which are of importance to the national security interests of the United States, and are, therefore, critical countries for the purposes of section 802(a)(1)(A);

(B) which areas within the disciplines described in section 802(a)(1)(B) relating to the national security interests of the United States are areas of study in which United States students are deficient in learning and are, therefore, critical areas within those disciplines for the purposes of that section;

(C) which areas within the disciplines described in section 802(a)(1)(C) are areas in which United States students, educators, and Government employees are deficient in learning and in which insubstantial numbers of United States institutions of higher education provide training and are, therefore, critical areas within those disciplines for the purposes of that section;

(D) how students desiring scholarships or fellowships can be encouraged to work for an agency or office of the Federal Government involved in national security affairs or national security policy upon completion of their education; and

(E) which foreign languages are critical to the national security interests of the United States for purposes of section 802(a)(1)(D) (relating to grants for the National Flagship Language Initiative) and section 802(a)(1)(E) (relating to the scholarship program for advanced English language studies by heritage community citizens).

(5) Encourage applications for fellowships under this title from graduate students having an educational background in any academic discipline, particularly in the areas of science or technology.

(6) Provide the Secretary biennially with a list of scholarship recipients and fellowship recipients, including an assessment of their foreign area and language skills, who are available to work in a national security position.

(7) Not later than 30 days after a scholarship or fellowship recipient completes the study or education for which assistance was provided under the program, provide the Secretary with a report fully describing the foreign area and language skills obtained by the recipient as a result of the assistance.

(8) Review the administration of the program required under this title.

(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

(A) assessing on a periodic basis whether the Corps is addressing the needs identified by the heads of departments and agencies of the Federal Government for personnel with skills in various foreign languages;

(B) recommending plans for the Corps to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal Government that use those skills; and

(D) overseeing the Corps efforts to work with Executive agencies and State and Local governments to respond to interagency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills.

SEC. 804. [50 U.S.C. 1904] NATIONAL SECURITY EDUCATION TRUST FUND.

(a) **ESTABLISHMENT OF FUND.**—There is established in the Treasury of the United States a trust fund to be known as the “National Security Education Trust Fund”. The assets of the Fund consist of amounts appropriated to the Fund and amounts credited to the Fund under subsection (e).

(b) **AVAILABILITY OF SUMS IN THE FUND.**—Sums in the Fund shall, to the extent provided in appropriations Acts, be available—

(1) for awarding scholarships, fellowships, and grants in accordance with the provisions of this title; and

(2) for properly allocable costs of the Federal Government for the administration of the program under this title.

(c) **INVESTMENT OF FUND ASSETS.**—The Secretary of the Treasury shall invest in full the amount in the Fund that is not immediately necessary for expenditure. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of title 31, United States Code, are hereby extended to authorize the issuance

at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt, except that where such average rate is not a multiple of $\frac{1}{8}$ of 1 percent, the rate of interest of such special obligations shall be the multiple of $\frac{1}{8}$ of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchases of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue or at the market price, is not in the public interest.

(d) **AUTHORITY TO SELL OBLIGATIONS.**—Any obligation acquired by the Fund (except special obligations issued exclusively to the Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(e) **AMOUNTS CREDITED TO FUND.**—(1) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(2) Any amount paid to the United States under section 802(b)(3) shall be credited to and form a part of the Fund.

(3) Any gifts of money shall be credited to and form a part of the Fund.

SEC. 805. [50 U.S.C. 1905] REGULATIONS AND ADMINISTRATIVE PROVISIONS

(a) **REGULATIONS.**—The Secretary may prescribe regulations to carry out the program required by this title. Before prescribing any such regulations, the Secretary shall submit a copy of the proposed regulations to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives. Such proposed regulations may not take effect until 30 days after the date on which they are submitted to those committees.

(b) **ACCEPTANCE AND USE OF GIFTS.**—In order to conduct the program required by this title, the Secretary may—

(1) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purpose of conducting the program required by this title; and

(2) may use, sell, or otherwise dispose of such property for that purpose.

(c) **VOLUNTARY SERVICES.**—In order to conduct the program required by this title, the Secretary may accept and use the services of voluntary and noncompensated personnel.

(d) **NECESSARY EXPENDITURES.**—Expenditures necessary to conduct the program required by this title shall be paid from the Fund, subject to section 804(b).

SEC. 806. [50 U.S.C. 1906] ANNUAL REPORT.

(a) ANNUAL REPORT.—(1) The Secretary shall submit to the President and to the congressional intelligence committees an annual report of the conduct of the program required by this title.

(2) The report submitted to the President shall be submitted each year at the time that the President's budget for the next fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code.

(3) The report submitted to the congressional intelligence committees shall be submitted on the date provided in section 507 of the National Security Act of 1947.

(b) CONTENTS OF REPORT.—Each such report shall contain—

(1) an analysis of the trends within language, international, area, and counterproliferation studies, along with a survey of such areas as the Secretary determines are receiving inadequate attention;

(2) the effect on those trends of activities under the program required by this title;

(3) an analysis of the assistance provided under the program for the previous fiscal year, to include the subject areas being addressed and the nature of the assistance provided;

(4) an analysis of the performance of the individuals who received assistance under the program during the previous fiscal year, to include the degree to which assistance was terminated under the program and the extent to which individual recipients failed to meet their obligations under the program;

(5) an analysis of the results of the program for the previous fiscal year, and cumulatively, to include, at a minimum—

(A) the percentage of individuals who have received assistance under the program who subsequently became employees of the United States Government;

(B) in the case of individuals who did not subsequently become employees of the United States Government, an analysis of the reasons why they did not become employees and an explanation as to what use, if any, was made of the assistance by those recipients; and

(C) the uses made of grants to educational institutions;

(6) the current list of agencies and offices of the Federal Government required to be developed by section 802(g); and

(7) any legislative changes recommended by the Secretary to facilitate the administration of the program or otherwise to enhance its objectives.

(c) SUBMISSION OF INITIAL REPORT.—The first report under this section shall be submitted at the time the budget for fiscal year 1994 is submitted to Congress.

(d) CONSULTATION.—During the preparation of each report required by subsection (a), the Secretary shall consult with the members of the Board specified in paragraphs (1) through (7) of section 803(b). Each such member shall submit to the Secretary an assessment of their hiring needs in the areas of language and area studies and a projection of the deficiencies in such areas. The Secretary shall include all assessments in the report required by subsection (a).

SEC. 807. [50 U.S.C. 1907] GENERAL ACCOUNTING OFFICE AUDITS.

The conduct of the program required by this title may be audited by the General Accounting Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. Representatives of the General Accounting Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property of the Department of Defense pertaining to such activities and necessary to facilitate the audit.

SEC. 808. [50 U.S.C. 1908] DEFINITIONS.

For the purpose of this title:

(1) The term “Board” means the National Security Education Board established pursuant to section 803.

(2) The term “Fund” means the National Security Education Trust Fund established pursuant to section 804.

(3) The term “institution of higher education” has the meaning given that term by section 101 of the Higher Education Act of 1965.

(4) The term “national security position” means a position—

(A) having national security responsibilities in a agency or office of the Federal Government that has national security responsibilities, as determined under section 802(g); and

(B) in which the individual in such position makes their foreign language skills available to such agency or office.

(5) The term “congressional intelligence committees” means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 809. [50 U.S.C. 1909] FISCAL YEAR 1992 FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS TO THE FUND.**—There is hereby authorized to be appropriated to the Fund for fiscal year 1992 the sum of \$150,000,000.

(b) **AUTHORIZATION OF OBLIGATIONS FROM THE FUND.**—During fiscal year 1992, there may be obligated from the Fund such amounts as may be provided in appropriations Acts, not to exceed \$35,000,000. Amounts made available for obligation from the Fund for fiscal year 1992 shall remain available until expended.

SEC. 810. [50 U.S.C. 1910] FUNDING.

(a) **FISCAL YEARS 1993 AND 1994.**—Amounts appropriated to carry out this title for fiscal years 1993 and 1994 shall remain available until expended.

(b) **FISCAL YEARS 1995 AND 1996.**—There is authorized to be appropriated from, and may be obligated from, the Fund for each of the fiscal years 1995 and 1996 not more than the amount credited to the Fund in interest only for the preceding fiscal year under section 804(e).

(c) **FUNDING FROM INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT FOR FISCAL YEARS BEGINNING WITH FISCAL YEAR 2005.**—

In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each of fiscal years 2005 through 2021² \$8,000,000 to carry out the scholarship, fellowship, and grant programs under subparagraphs (A), (B), and (C), respectively, of section 802(a)(1).

(d) FISCAL YEARS BEGINNING WITH FISCAL YEAR 2022.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, there is authorized to be appropriated to the Secretary for each fiscal year, beginning with fiscal year 2022, \$8,000,000, to carry out the scholarship, fellowship, and grant programs under subparagraphs (A), (B), and (C), respectively, of section 802(a)(1).

SEC. 811. [50 U.S.C. 1911] ADDITIONAL ANNUAL AUTHORIZATION OF APPROPRIATIONS.

(a)³ IN GENERAL.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, there is authorized to be appropriated to the Secretary for each fiscal year, beginning with fiscal year 2003, \$16,000,000, to carry out the grant program for the National Flagship Language Initiative under section 802(a)(1)(D).

(b) FUNDING FROM INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT FOR FISCAL YEARS BEGINNING WITH FISCAL YEAR 2005.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each of fiscal years 2005 through 2021⁴ \$6,000,000 to carry out the grant program for the National Flagship Language Initiative under section 802(a)(1)(D).

(c) AVAILABILITY OF APPROPRIATED FUNDS.—Amounts made available under this section shall remain available until expended.

SEC. 812. [50 U.S.C. 1912] FUNDING FOR SCHOLARSHIP PROGRAM FOR ADVANCED ENGLISH LANGUAGE STUDIES BY HERITAGE COMMUNITY CITIZENS.

(a) FUNDING FROM INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each of fiscal years 2005 through 2021⁵ \$2,000,000 to carry out the scholarship programs for English language studies by certain heritage community citizens under section 802(a)(1)(E).

²Section 619(a)(1) of division W of Public Law 116-260 struck “for each fiscal year, beginning with fiscal year 2005,” and inserted “for each of fiscal years 2005 through 2021”. The inserted matter should have included a comma at the end.

³Section 1623 of Public Law 116-92 attempted to amend section 811(a), however, the reference to the “Fair Chance Act” should have been made to the “David L. Boren National Security Education Act of 1991”. As such, the amendments were not carried out here.

⁴Section 619(b)(2) of division W of Public Law 116-260 struck “for each fiscal year, beginning with fiscal year 2005,” and inserted “for each of fiscal years 2005 through 2021”. The inserted matter should have included a comma at the end.

⁵Section 619(c)(1) of division W of Public Law 116-260 struck “for each fiscal year, beginning with fiscal year 2005,” and inserted “for each of fiscal years 2005 through 2021”. The inserted matter should have included a comma at the end.

(b) FISCAL YEARS BEGINNING WITH FISCAL YEAR 2022.—In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, there is authorized to be appropriated to the Secretary for each fiscal year, beginning with fiscal year 2022, \$2,000,000, to carry out the scholarship programs for English language studies by certain heritage community citizens under section 802(a)(1)(E).

(c) AVAILABILITY OF FUNDS.—Amounts made available under this section shall remain available until expended.

SEC. 813. [50 U.S.C. 1913] NATIONAL LANGUAGE SERVICE CORPS.

(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the “Corps”).

(2) The purpose of the Corps is to provide a pool of nongovernmental personnel with foreign language skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of Defense or another department or agency of the United States.

(b) NATIONAL SECURITY EDUCATION BOARD.—If the Secretary establishes the Corps, the Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps.

(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States. If a member of the Corps is, as of the time of such determination, employed by or performing under a contract for an element of another Federal agency, the Secretary shall first obtain the concurrence of the head of that agency.

(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be merged with amounts in such account, and shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.